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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. 10/720,603 Confirmation No. 6398
Applicant Chakrabarty et al.
Filed November 24, 2003
TC/Art Unit 1642
Examiner Lei Yao

Docket No. 51282-00013
Customer No. 23767

**PETITION TO MAKE SPECIAL
UNDER 37 C.F.R. § 1.102(c) AND M.P.E.P. § 708.02(X)**

Commissioner for Patents
Alexandria, VA 22313

Sir:

Pursuant to 37 C.F.R. § 1.102, Applicants hereby petition the Director of the United States Patent and Trademark Office to make the referenced application special and receive accelerated examination because invention contributes to the diagnosis or treatment of cancer as delineated under M.P.E.P. § 708.02(X).

Claims 1-21 recite a method to treat a condition related to resistance to cell death comprising administering an effective amount of a cupredoxin, or variant or derivative thereof. Claim 17 in particular recites that the condition related to resistance to cell death may be one of several kinds of cancer. These claims are supported by the specification throughout, and in particular in Example 17 (specification at [0149]-[0152]) where the cupredoxin azurin induces apoptosis and regression in human breast cancer cells but not normal breast cells, and Example 18 (specification at [0153]-[0158]) where azurin reduces tumor size in nude mice injected with breast cancer tumor cells.

Accordingly, Applicants respectfully request that this Petition To Make Special be granted and that the pending claims be examined and allowed as quickly as possible.

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Serial No. 10/720,603

Atty. Docket No. 51282-00013

Pursuant to 37 C.F.R. § 1.102(d), Applicants enclose a check for \$130.00 as required by 37 C.F.R. § 1.17(h). In the event any additional fees are due in connection with this paper, please charge the undersigned's Deposit Account No. 50-1067.

Respectfully submitted,

June 15, 2006



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